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Attorneys for Defendant  
PRAVEEN CHAKRAVARTY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THOMAS WEISEL PARTNERS LLC, a  
Delaware limited liability company, and  
THOMAS WEISEL INTERNATIONAL  
PRIVATE LIMITED, an Indian company,

Plaintiffs,

vs.

BNP PARIBAS, a French corporation, BNP  
PARIBAS SECURITIES (ASIA) LIMITED, a  
Hong Kong company, and PRAVEEN  
CHAKRAVARTY, an individual,

Defendants.

Case No.: C 07-06198 MHP

**STIPULATION BETWEEN PLAINTIFFS  
AND DEFENDANT PRAVEEN  
CHAKRAVARTY AND [PROPOSED]  
ORDER RE SERVICE OF PROCESS,  
FILING OF MOTIONS, JURISDICTIONAL  
DISCOVERY, AND CASE MANAGEMENT  
CONFERENCE**

WHEREAS, plaintiffs THOMAS WEISEL PARTNERS LLC and THOMAS WEISEL  
INTERNATIONAL PRIVATE LIMITED (collectively "TWP") filed this action on December 6,  
2007;

WHEREAS, plaintiffs filed a First Amended Complaint on January 15, 2008;

WHEREAS, defendant PRAVEEN CHAKRAVARTY was served with the First Amended  
Complaint and Summons on March 5, 2008;

1 WHEREAS, defendant CHAKRAVARTY intends to file a motion to dismiss the First  
2 Amended Complaint, in part on the basis of lack of personal jurisdiction and forum non conveniens;

3 WHEREAS, defendant CHAKRAVARTY is willing to forego any challenge to the  
4 sufficiency of service of process, in exchange for the extension of time provided for in this  
5 Stipulation; and

6 WHEREAS, the parties to this Stipulation agree that the Court should hear and resolve the  
7 above-mentioned dismissal arguments before considering challenges to the sufficiency of the claims  
8 alleged in the First Amended Complaint;

9 NOW, THEREFORE, TWP and CHAKRAVARTY (collectively the "Parties"), through their  
10 undersigned counsel, HEREBY STIPULATE AND AGREE as follows:

11 1. CHAKRAVARTY, through his authorized counsel, accepts service of the Summons,  
12 Complaint, First Amended Complaint, and any and all related papers required to be served with the  
13 Complaint and First Amended Complaint, and waives any objection to the sufficiency either of the  
14 process served upon him or the service of process. *See* Fed. R. Civ. Proc. 12(b)(4) and 12(b)(5).

15 2. CHAKRAVARTY shall have a thirty (30) day extension of time in which to file his  
16 motion to dismiss for lack of personal jurisdiction and forum non conveniens (the "Jurisdiction  
17 Motion"). As such, CHAKRAVARTY's Jurisdiction Motion will be filed on or before April 24,  
18 2008.

19 3. CHAKRAVARTY will file and serve any motion challenging the sufficiency of the  
20 claims alleged in the First Amended Complaint no later than 21 days after the Court issues an order  
21 on the Jurisdiction Motion. TWP's Opposition will be due 23 days thereafter, and any Reply will be  
22 due 15 days after the Opposition is filed. The motion will be heard as soon thereafter as the Court's  
23 schedule permits or at another date mutually agreed upon by the Parties and acceptable to the Court.

24 4. Discovery directed to the merits of the issues in the First Amended Complaint will be deferred  
25 until the Court decides the Jurisdiction Motion.

26 5. The Parties may undertake written discovery limited to issues raised by  
27 CHAKRAVARTY's Jurisdiction Motion ("Jurisdictional Discovery"). Absent Court order or  
28

1 agreement by the Parties, the Parties' initial Jurisdictional Discovery shall be limited to requests for  
2 documents and interrogatories (the "Initial Jurisdictional Discovery"), which shall be served after  
3 April 24, 2008 and no later than April 30, 2008. TWP reserves its right to seek to depose  
4 CHAKRAVARTY, and CHAKRAVARTY reserves his right to object to any attempt to seek his  
5 deposition. The Parties will discuss this issue within the period of Jurisdictional Discovery and seek  
6 to reach an agreement that renders it unnecessary to raise this issue with the Court. The Parties may  
7 not undertake additional Jurisdictional Discovery without mutual consent and/or leave of Court.

8         6.       The Parties retain the right to object to any particular Jurisdictional Discovery request.  
9 The Parties shall meet and confer promptly and in good faith to resolve issues and objections that  
10 arise concerning Jurisdictional Discovery, and reserve their rights to litigate unresolved issues and  
11 objections. The Parties agree that any motions related to issues and objections arising during  
12 Jurisdictional Discovery may be heard on mutually agreeable shortened time.

13         7.       After the Parties have resolved any discovery disputes and completed Jurisdictional  
14 Discovery, they will meet and confer to discuss a schedule for the balance of the briefing, and  
15 propose to the Court a mutually acceptable briefing schedule and hearing date for the Jurisdiction  
16 Motion. CHAKRAVARTY's Jurisdiction Motion shall be heard on the same day as the hearing on  
17 the Jurisdiction Motion filed by defendants BNP Paribas and BNP Paribas Securities (Asia) Limited.  
18 In all events, absent the Parties' mutual consent or leave of Court, the hearing on the Jurisdiction  
19 Motion will occur no later than July 28, 2008.

20         8.       The Parties will not be required to serve Initial Disclosures until after the Court  
21 decides the Jurisdiction Motion, and will meet and confer at that time regarding an agreeable  
22 disclosure deadline.

23         9.       The Case Management Conference will be continued to a date following a ruling by  
24 the Court on CHAKRAVARTY's Jurisdiction Motion.

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1           10.       The Parties agree that during the pendency of this action, they will comply with all  
2 applicable rules regarding the preservation of evidence relating to this matter.

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4           IT IS SO STIPULATED AND AGREED:

5  
6       Dated: April 3, 2008

HOWARD RICE NEMEROVSKI CANADY  
FALK & RABKIN  
A Professional Corporation

7  
8  
9       By: 

MARK SHEFT

10           Attorneys for Plaintiffs  
11           THOMAS WEISEL PARTNERS LLC and  
12           THOMAS WEISEL INTERNATIONAL  
13           PRIVATE LIMITED

14       Dated: April 3, 2008

COOK | ROOS | WILBUR | THOMPSON LLP

15  
16       By: 

TRACY THOMPSON

17           Attorneys for Defendant  
18           PRAVEEN CHAKRAVARTY

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April \_\_, 2008

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Judge Marilyn Hall Patel  
United States District Judge